

Municipal Clerk
Atlanta, Georgia

01-0-0636

Z-01-44

SUBSTITUTE ORDINANCE BY:
ZONING COMMITTEE

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA BY CREATING A NEW CHAPTER ENTITLED CHAPTER 18P. SPI 16 MIDTOWN DISTRICT REGULATIONS AND TO AMEND THE OFFICIAL ZONING MAP BY SUPPLANTING EXISTING ZONING DISTRICTS RG4, RG5, RG5-C, RG6-C, C1-C, C2, C4, C4-C, OI, OI-C, PDMU, PDH, PDOC, SPI 2, SPI 3, SPI 4, SPI 4-C AND SPI 10 WITH SAID SPI 16 DISTRICT AND TO AMEND CHAPTER 28A.0010 BY ADDING A NEW SUBSECTION (37) SPI 16 MIDTOWN DISTRICT, AND FOR OTHER PURPOSES.

WHEREAS, commercial districts should provide adjacent neighborhoods with pedestrian accessibility to retail goods and services; and

WHEREAS, existing transit infrastructure should be maximized; and

WHEREAS, the visual aesthetics of City streets should be improved; and

WHEREAS, a diversified urban environment where people can live, work, meet and recreate should be created; and

WHEREAS, a compatible mixture of residential, commercial, and cultural and recreational uses should be provided; and

WHEREAS, a grid of connected streets for improved vehicular access and reduced vehicular congestion should be provided; and

WHEREAS, sufficient, safe and accessible open space for active and passive enjoyment by residents and workers should be provided; and

WHEREAS, safe and convenient pedestrian and bicycle circulation should be provided; and

WHEREAS, the City Sign Ordinance should be amended to include regulations for the SPI 16 Midtown District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the 1982 Zoning Ordinance of the City of Atlanta is hereby amended by adding a new Chapter 18P. SPI 16 Midtown District Regulations, which shall read as shown on the attached "Attachment A".

Section 2: That the 1982 Zoning Ordinance Map of the City of Atlanta is hereby amended as shown on "Attachment B" and "Attachment C".

Section 3: That Chapter 16-28A.010 of the City of Atlanta Municipal Code, the Sign Ordinance, be amended by adding a new subsection (37) to read as follows:

(37) SPI 16 Midtown District: The following signs shall be permitted in the SPI 16 Midtown District:

- a. The regulations for SPI 16 Midtown District Section 16-18P.028 (Specific Regulations for Subarea 1: Midtown Commercial) shall be the same as the regulations in Subsection (6) C-2 (Commercial Service) District, provided that:
 - i. No freestanding signs shall be permitted.
 - ii. No shopping center signs shall be permitted.
- b. The regulations for SPI 16 Midtown District Section 16-18P.029 (Specific Regulations for Subarea 2: Midtown Residential) and SPI 16 Midtown District Section 16-18P.030 (Specific Regulations for Subarea 3: Juniper East) shall be the same as the regulations in Subsection (3) RLC (Residential Limited Commercial) District, provided that:
 - i. No freestanding signs shall be permitted.
 - ii. No shopping center signs shall be permitted.
 - iii. Signs may be located as near to the street property line as the nearest building.

Section 3: That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.

**CHAPTER 16-18P
SPI-16 MIDTOWN
SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS**

Section 16-18P.001. Scope of Provisions.

The regulations set forth in this chapter, or set forth elsewhere in this part when referred to in this chapter, are the regulations for the SPI-16 Midtown Special Public Interest District. These regulations shall supplant existing districts or portions of existing districts as shown on the attached map referenced in Section 16-18P.003, except that all existing categories of historic protection designated pursuant to Chapter 20 of Part 16 shall continue in full force and effect and said existing historic protection regulations shall be overlaid upon, and shall be imposed in addition to, the regulations set forth in this Chapter. Whenever the following regulations are at variance with said existing historic protection regulations, the historic protection regulations shall apply. Whenever the following regulations conflict with provisions of Part 16 other than historic protection regulations, the more stringent regulation shall apply.

The regulations set forth in Sections 16-18P.001 through and including Section 16-18P.027 shall apply to all properties located within the SPI-16 Midtown Special Public Interest District, including all subareas within the District. The remaining regulations set forth in Section 18P.028 through Section 16-18P.030 shall apply only to the subareas identified therein.

Section 16-18P.002. Statement of Intent.

The intent of the council in establishing SPI-16 Midtown Special Public Interest District as a zoning district is as follows:

1. Implement provisions of the Comprehensive Development Plan incorporating certain recommendations contained in studies of this area, including the comprehensive study known as Blueprint Midtown;
2. Create an urban environment where people can live, work, meet and play;
3. Improve the aesthetics of the built environment;
4. Encourage a compatible mixture of residential, commercial, cultural and recreational uses;
5. Provide a range of housing types and prices to meet different housing needs;
6. Provide appropriately-scaled, continuous pedestrian oriented uses and activities adjacent to sidewalks along streets with identified pedestrian needs;
7. Facilitate safe, pleasant and convenient pedestrian circulation and minimize conflict between pedestrians and vehicles;
8. Preserve and protect the city's historic buildings and sites;
9. Prevent encroachment of incompatible commercial uses and minimize commercial parking into residential neighborhoods;
10. Ensure pedestrian-oriented building forms;
11. Encourage infill and rehabilitation development within traditionally commercial areas that include proportionately significant residential uses;

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